

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

LEON WEINGRAD,

Plaintiff

v.

TOP HEALTHCARE OPTIONS INSURANCE
AGENCY INC. f/k/a “NATIONAL HEALTH
ENROLLMENT CENTRE”

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Civil Action

No. 2:23-cv-05114-MAK

**DEFENDANT TOP HEALTHCARE OPTIONS INSURANCE AGENCY INC.’S
UNOPPOSED MOTION FOR EXTENSION OF TIME TO ANSWER, MOVE, OR
OTHERWISE PLEAD IN RESPONSE TO THE AMENDED COMPLAINT**

Defendant Top Healthcare Options Insurance Agency Inc. (“THO”), through counsel, and with the agreement of counsel for Plaintiff, now moves for an 21-day extension of its time through and including August 26, 2024 to answer, move, or otherwise plead to Plaintiff Leon Weingrad’s Amended Complaint. In support thereof, THO avers as follows:

1. Plaintiff initiated this action on December 26, 2023. (Doc. 1).
2. On June 28, 2024, Plaintiff filed an Amended Complaint. (Doc. 12).
3. Unbeknownst to THO, Plaintiff claims to have effectuated service of process of the Amended Complaint on THO on July 2, 2024. (Doc. 14).
4. While THO maintains that it was not aware of service, if service did in fact occur on July 2, 2024, THO’s response to the Amended Complaint was due July 23, 2024. (Doc. 14).
5. On July 25, 2024, the Court entered an Order stating, if THO fails to appear or otherwise plead in response to the Amended Complaint by August 5, 2024, Plaintiff may seek the entry of a default against THO. (Doc. 17).

6. THO now moves for an Order extending its deadline to answer, move, or otherwise plead in response to the Amended Complaint by 21 days, through and including August 26, 2024.

7. Good cause exists for this request for an extension due to attorney absences during the summer holidays. Specifically, counsel for THO (who will seek pro hac vice admission in this matter in due course) was only recently retained to represent THO in this action, and said counsel is currently on a pre-planned family vacation. Additionally, the undersigned counsel was only retained on the date of the filing of this Motion. Accordingly, THO and its counsel require additional time to evaluate the defenses available to THO, investigate the facts pertaining to Plaintiff's claims and allegations, develop the appropriate response to Plaintiff's Amended Complaint, and if required, conduct a thorough meet and confer with Plaintiff's counsel pertaining to any arguments supporting a potential motion to dismiss.

8. THO has conferred with counsel for Plaintiff, who consents to the relief sought.

9. This is THO's first request for an extension.

10. The requested extension will not impact any deadline set by this Court or the trial of this matter.

11. No party will be prejudiced by the requested extension.

12. THO therefore respectfully requests a 21-day extension to August 26, 2024 to

answer, move, or otherwise plead in response to the Amended Complaint.

KAUFMAN DOLOWICH LLP

Dated: July 29, 2024

/s/ Richard J. Perr

Richard J. Perr, Esquire

Monica M. Littman, Esquire

Matthew E. Selmasska, Esquire

One Liberty Place

1650 Market Street, Suite 4800

Philadelphia, PA 19103

T: 215.501.7002 F: 215.405.2973

rperr@kaufmandolowich.com

mlittman@kaufmandolowich.com

matthew.selmasska@kaufmandolowich.com

*Attorneys for Defendant Top Healthcare Options
Insurance Agency Inc.*

CERTIFICATE OF COUNSEL UNDER L. CIV. R. 7.1(b)

I, Richard J. Perr, certify that the foregoing Motion is uncontested pursuant to L. Civ. R. 7.1(b).

Dated: July 29, 2024

/s/ Richard J. Perr
Richard J. Perr

CERTIFICATE OF SERVICE

I, Richard J. Perr, certify that I caused a true and correct copy of the foregoing Motion, and all attendant documents, to be served on all counsel of record in this action via the Court's CM/ECF system on the date indicated below.

Andrew Roman Perrong, Esq.
Perrong Law LLC
2657 Mt. Carmel Ave
Glenside, PA 19038
a@perronglaw.com

Dated: July 29, 2024

/s/ Richard J. Perr

Richard J. Perr